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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/881,493	06/14/2001	Pankaj K. Jha	0325.00482	7913
21363 7590 06/22/2007 Cypress Semiconductor Corporation 198 Champion Court San Jose, CA 95134			EXAMINER PATEL, HARESH N	
			ART UNIT 2154	PAPER NUMBER
			MAIL DATE 06/22/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

**Application No.**

09/881,493

**Applicant(s)**

JHA, PANKAJ K.

**Examiner**

Haresh Patel

**Art Unit**

2154

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 27 February 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☒ Claim(s) 1, 10 and 20 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 09/02/03.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- ☐ Notice of Informal Patent Application
- ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. Claims 1-20 are subject to examination.
2. Considering the BPAI decision dated 5/15/2007 on the copending application 09/881367, i.e., provisional double patenting application for which the applicant has filed a terminal disclaimer dated 11/24/2004, and the BPAI decision that the limitations similar to the limitations of the claim 9 of this application under prosecution, is not disclosed by the Ogawa and well-known in the art, the finality of the rejection of the last Office action is withdrawn.
3. To be consistent with the BPAI decision dated 5/15/2007, the claim 9 is no longer rejected under 35 U.S.C. 102(e) and is rejected under 35 U.S.C. 103(a) and hence this office action is made non-final.

### ***Response to Arguments***

4. Please refer to the responses to the arguments (other than the claim 9) in the office action dated, 8/31/2006, office action 6/14/2006, advisory office action dated 11/28/2006 after the interview summary dated 9/14/2006.

### ***Specification***

5. The specification is objected as per the office action dated, 8/31/2006.

### ***Drawings***

6. The drawings are objected as per the office action dated, 8/31/2006.

***Claim Objections***

7. Claims 1, 10 and 20 are objected to as per the office action dated, 8/31/2006.

***Claim Rejections - 35 USC § 102***

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

9. Claims 1-6, 8, 10-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Ogawa et al. 5,936,966 (Hereinafter Ogawa), as per the office action dated, 8/31/2006.

***Claim Rejections - 35 USC § 103***

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

11. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ogawa in view of “Official Notice”, as per office action dated, 8/31/2006.

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12. Claim 18 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ogawa in view of Gabrick et al., 2002/0161802 (Hereinafter Gabrick), as per office action dated, 8/31/2006.

13. Claim 19 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ogawa in view of Wilford et al. 6,687,247 (Hereinafter Wilford) and Gabrick, as per office action dated, 8/31/2006.

14. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ogawa in view of Yanagihara et al. 5,899,578 (Hereinafter Yanagihara), as per office action dated, 8/31/2006.

15. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Ogawa in view of "Official Notice".

As per claim 9, Ogawa teaches the following: processing circuit is implemented including hardware (e.g., col., 5, lines 8 – 38, for further clarification, col., 1, lines 41-43, col., 5, lines 43 – 45). However, Ogawa does not specifically mention about usage of the circuit being only hardware. "Official Notice" is taken that both the concept and advantages of providing usage of the circuit being only hardware is well known and expected in the art.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to include usage of the circuit being only hardware with the teachings of Ogawa in order to facilitate usage of the only hardware circuit because it would support handling pointers and parameters. The well-known use of only hardware circuit would enhance processing of the pointers and parameters faster as compared to hardware circuit that are not only hardware based.

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For example, Cashman et al., 6192,491, Cisco discloses usage of these well-known limitations, col., 2, 8. Bagchi et al., 6,882,634, Broadcom Corporation, discloses usage of these well-known limitations, col., 10, 20. Trachewsky et al., 6,993,101, Broadcom Corporation, discloses usage of these well-known limitations, col., 10, 20. Hsu, Qualcomm, 7,031,666, discloses usage of these well-known limitations, col., 14. Mallory et al., 2002/0006136 discloses usage of these well-known limitations, paragraphs 111-115, 154-157. Holloway et al., 2002/0012343 discloses usage of these well-known limitations, paragraphs 111-115, 154-157. Ptasinski et al., 2002/0041570 discloses usage of these well-known limitations, paragraphs 111-115, 154-157. Mallory et al., 2002/0042836, discloses usage of these well-known limitations, paragraphs 113-117, 155-159. Ptasinski et al., 2002/0080886 discloses usage of these well-known limitations, paragraphs 111-115, 154-157. Cashman et al., 6,212,569, Cisco discloses usage of these well-known limitations, col., 2, 8.

### ***Conclusion***

16. The prior art made of record (forms PTO-892 and applicant provided IDS cited arts) and not relied upon is considered pertinent to applicant's disclosure. For example, the above-cited arts in the official notice are also pertinent to the claimed invention; please see the cited portions of the respective arts.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haresh Patel whose telephone number is (571) 272-3973. The examiner can normally be reached on Monday, Tuesday, Thursday and Friday from 10:00 am to 8:00 pm.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Nathan Flynn, can be reached at (571) 272-1915. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Haresh Patel

Haresh Patel

June 1, 2007